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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/716,754	11/19/2003	Ulf R. Hanebutte	INT.P009	6176
45512	7590	06/28/2007	EXAMINER	
LAWRENCE CHO			HENEGHAN, MATTHEW E	
C/O PORTFOLIOIP				
P. O. BOX 52050			ART UNIT	PAPER NUMBER
MINNEAPOLIS, MN 55402			2134	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/716,754

Applicant(s)

HANEBUTTE, ULF R.

Examiner

Matthew Heneghan

Art Unit

2134

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-25 have been examined.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

2. Claims 20-22 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The claims recite functional descriptive material that is tangibly embodied by on a machine readable medium. Since Applicant's specification states that the term "machine readable medium" includes carrier waves (see Specification, p. 15, line 25 to p. 16, line 3), which are intangible, the claims there encompass non-statutory subject matter.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-6 and 20-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 4,962,449 to Schlesinger in view of U.S. Patent No. 7,228,563 to Szor.

As per claims 1, 4, and 23-25, Schlesinger discloses a computer security system in which a switchboard (the server) regulates an LRD workstation (the client). The server may send the client location registration information, an LSC (derived from the client's location ID), thereby synchronizing the client's database (see column 7, line 48 to column 8, line 14). The server later uses the client location information in handling a login attempt (an event) and locks it out if the information is incorrect, determining the client's information to be compromised and thus irrelevant (see column 9, line 39 to column 10, line 40).

Schlesinger does not disclose what the client should do when it is locked out.

Szor discloses the notification to the user of the error condition using a pop-up window (a splash screen), in order to notify the user as to what is happening.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to implement the invention of Schlesinger by having the client show a pop-up window the user, as disclosed by Szor, in order to notify the user as to what is happening.

Since all of Schlesinger's client functionalities are downloaded from the server to the client, such functionality must be sent to the client as part of the database, and used from the client's local storage.

Regarding claim 20, since the invention is implemented on computers, the processes used must be embodied on computer-readable media.

Regarding claims 2 and 21 the loading of the LSC to the client is done during initialization; therefore, a determination is made that the client lacks location information so that it can be populated by the server.

Regarding claims 3 and 22, upon removing a lock-out state from a client, the server, having determined the client has an invalid LSC, re-initializes it with a new (current) version (see column 10, lines 43-47).

As per claim 5, the server may send a signal to unlock the client (see column 10, lines 40-43).

As per claim 6, the server may save all information regarding system usage (see column 11, lines 21-30).

4. Claims 7-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 4,962,449 to Schlesinger in view of U.S. Patent No. 7,228,563 to Szor as applied to claim 1 et al. above, and further in view of U.S. Patent No. 7,080,405 to Himmel et al.

Although Schlesinger and Szor disclose support for mobile clients (see column 8, lines 54-62), Schlesinger only discloses the use of a network over fixed telephone lines, rather than using wireless connections, as is common in mobile computers.

Himmel discloses network management over a wireless network wherein clients are controlled via wireless messages (see column 3, lines 36-44) to all units in the

Art Unit: 2134

environment (i.e. in range) (see column 4, lines 15-21) and control messages may be broadcast to all units in a location (see column 3, line 65 to column 4, line 1) in order to limit uses of all devices in a facility.

Therefore, it would be obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Schlesinger and Szor by broadcasting commands over wireless networks to at units that are in range at a location, in order to limit uses of all devices in a facility.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew E. Heneghan, whose telephone number is (571) 272-3834. The examiner can normally be reached on Monday-Friday from 8:30 AM - 4:30 PM Eastern Time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Zand, can be reached at (571) 272-3811.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
P.O. Box 1450
Alexandria, VA 22313-1450

Or faxed to:

(571) 273-3800

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Matthew Heneghan/

June 22, 2007

Patent Examiner (FSA), USPTO Art Unit 2134